

§ 663.41

required. The recipient may exercise any legal rights it has under the contract or at law.

(b) This provision does not preclude the recipient and manufacturer from agreeing to a conditional acceptance of rolling stock pending manufacturer's correction of deviations within a reasonable period of time.

Subpart D—Certification of Compliance With or Inapplicability of Federal Motor Vehicle Safety Standards

§ 663.41 Certification of compliance with Federal motor vehicle safety standards.

If a vehicle purchased under this part is subject to the Federal Motor Vehicle Safety Standards issued by the National Highway Traffic Safety Administration in part 571 of this title, a recipient shall keep on file its certification that it received, both at the pre-award and post-delivery stage, a copy of the manufacturer's self-certification information that the vehicle complies with relevant Federal Motor Vehicle Safety Standards.

§ 663.43 Certification that Federal motor vehicle standards do not apply.

(a) Except for rolling stock subject to paragraph (b) of this section, if a vehicle purchased under this part is not subject to the Federal Motor Vehicle Safety Standards issued by the National Highway Traffic Safety Administration in part 571 of this title, the recipient shall keep on file its certification that it received a statement to that effect from the manufacturer.

(b) This subpart shall not apply to rolling stock that is not a motor vehicle.

PART 665—BUS TESTING

Subpart A—General

Sec.

665.1 Purpose.

665.3 Scope.

665.5 Definitions.

665.7 Grantee certification of compliance.

49 CFR Ch. VI (10–1–96 Edition)

Subpart B—Bus Testing Procedures

665.11 Testing requirements.

665.13 Test report and manufacturer certification.

Subpart C—Operations

665.21 Scheduling.

665.23 Fees.

665.25 Transportation of vehicle.

665.27 Procedures during testing.

APPENDIX A TO PART 665—TESTS TO BE PERFORMED AT THE BUS TESTING FACILITY

AUTHORITY: Federal Transit Act of 1964, as amended, 49 U.S.C. 1601 *et seq.*, 1608(h); section 317, Surface Transportation and Uniform Relocation Assistance Act of 1987; and 49 CFR 1.51.

SOURCE: 57 FR 33397, July 28, 1992, unless otherwise noted.

Subpart A—General

§ 665.1 Purpose.

An applicant for Federal financial assistance under the Federal Transit Act for the purchase or lease of buses with funds obligated by the FTA after September 30, 1989, must certify to the FTA that any new bus model acquired with such assistance has been tested in accordance with this part. This part contains the information necessary for a recipient to ensure compliance with this provision.

§ 665.3 Scope.

(a) This part applies to a recipient of Federal financial assistance under sections 3, 9, 16(b)(2), or 18 of the FT Act, and, except as provided in subsections (b), (c), and (d) is effective October 1, 1989;

(b) The provisions of section 665.11(e)(3) are effective November 8, 1990;

(c) The provisions in sections 665.11(c), (d), and (f) concerning partial testing are effective August 27, 1992; and

(d) The provisions in §§ 665.11(e) (4) and (5) concerning the last two categories of buses which must be tested, apply as follows:

(1) For vehicles that are manufactured from modified mass-produced chassis or vans, or manufactured from non-mass-produced chassis or vans,